

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

February 20, 2008

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No. 06-51634  
Conference Calendar

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Charles R. Fulbruge III  
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

ENRIQUE OLIVARES-ARREGUIN, also known as Marco Antonio  
Alcanta-Ayala

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 3:06-CR-2066-ALL

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Before KING, WIENER, and ELROD, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Enrique Olivares-Arreguin has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Olivares-Arreguin has filed a response. The record is insufficiently developed to allow consideration at this time of Olivares-Arreguin's claims of ineffective assistance of counsel. See *United States v. Cantwell*, 470 F.3d 1087, 1091 (5th Cir. 2006). Our independent review of the

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

record, counsel's brief, and Olivares-Arreguin's response discloses no nonfrivolous issue for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. See 5TH CIR. R. 42.2. Olivares-Arreguin's motion for the appointment of substitute counsel is DENIED.